

REMARKS

Claims 1-20 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Dailey (U.S. Patent Number 6,577,874). Respectfully disagreeing with these rejections, reconsideration is requested by the applicants.

Independent claim 1 recites (emphasis added) "performing traffic channel initialization procedures with the MS; **after completing traffic channel initialization procedures**, sending a **base station acknowledgment message** to the MS." Independent claim 14 recites (emphasis added) "a controller... adapted to perform, via the WTE, traffic channel initialization procedures with the MS [and] adapted to send, via the WTE, a **base station acknowledgment message** to the MS, **after completing traffic channel initialization procedures**." The Examiner cites Dailey column 3, line 62 – column 4, line 33 as teaching this language. Dailey column 3, line 62 – column 4, line 33 reads as follows (emphasis added):

In particular, an originating mobile terminal 37 a ' may issue an origination message when the PTT button is pushed. The radio base station providing service to the originating mobile terminal 37 a ' (now referred to as the originating radio base station 32 a ') receives the origination message, and checks the origination message for errors. If no significant errors are detected, the origination message is forwarded to the mobile switching center. The mobile switching center authenticates the originating mobile terminal 37 a ' and analyses the called number therein identifying the group. If the originating mobile terminal 37 a ' and the identified group are valid, the mobile switching center authorizes the originating radio base station 32 a ' to assign a digital traffic channel to the originating mobile terminal 37 a ', and a conversation channel is established between the originating mobile terminal 37 a ' and the group bridge 43 using the assigned digital traffic channel.

Group calls are indicated by a called party number portion of the origination message that is understood by both the mobile terminals in the group and the mobile switching center. The mobile switching center detects that the called party number is for a group call and connects the originating mobile terminal to the conference bridge. The conference server accepts the call and then searches the group database to determine the other mobile terminals in the group that should be called. The server then instructs the conference bridge to place calls to each of the other mobile terminals in the group via the mobile switching center. The call from the originating mobile terminal and the calls to each of the other mobile terminals in the group are then grouped together. In particular, the

mobile switching center issues pages for each of the other mobile terminals in the group and completes each call normally once each serving radio base station is known. As further shown in the flow diagram of FIG. 5 , the steps of sending the origination message at block 81 , setting up the originating side of the call at block 83 , **paging to locate the called mobile terminals at block 85 , and setting up the terminating side of the call at block 87 proceed sequentially.**

It is not clear to the applicants what the Examiner is asserting to be the "base station acknowledgment message" that is sent to the MS with which traffic channel initialization procedures were performed. Presumably, the Examiner is asserting that the paging referred to by Dailey is a base station acknowledgment message. However, the applicants submit that pages are not described above as being sent to any MS after completing traffic channel initialization procedures. Instead, pages are described as being sent to locate mobiles. If traffic channel initialization procedures with MSs had completed, the applicants do not see why they would need to be located. Wouldn't the MSs already be located?

Independent claim 1 recites (emphasis added) "proceeding to transmit signaling to the MS without waiting to receive an **MS acknowledgment in response to the base station acknowledgment message.**" Independent claim 14 recites (emphasis added) "a controller...adapted to proceed to transmit signaling, via the WTE, to the MS without waiting to receive an **MS acknowledgment in response to the base station acknowledgment message.**" The Examiner cites Dailey column 9, line 60 – column 10, line 9 as teaching this language. Dailey column 9, line 60 – column 10, line 9 reads as follows (emphasis added):

Because the radio base station servicing each called mobile terminal is known as a result of the login message information stored in the tracking database, group setup messages can be transmitted only to radio base stations currently providing service to active mobile terminals in the group. Accordingly, **the called radio base stations can transmit the respective called origination messages before receiving a page response from the respective called mobile terminal** (or even before sending the page to the called mobile terminal). In other words, a called radio base station can begin setting up communications between it and the group bridge before the respective called mobile terminal has responded because it is already known that the called mobile terminal is being serviced by that base station, and because the group setup message for a called mobile terminal is only sent to the radio base station providing service therefor. The time required for group call setup can thus be reduced.

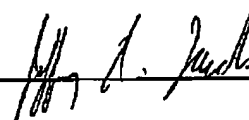
Based on the citation above, the Examiner appears to be asserting that a page response is an MS acknowledgment and that a page is a base station acknowledgment message. Again, however, the applicants submit that pages are not described above as being sent to any MS after completing traffic channel initialization procedures. As claimed, the MS acknowledgment is in response to the base station acknowledgment message which was sent to the MS after completing traffic channel initialization procedures. Thus, the applicants submit that Dailey, as cited, does not teach or suggest either the language of claim 1 or claim 14.

Since none of the references cited, either independently or in combination, teach all of the limitations of independent claims 1 or 14, or therefore, all the limitations of their respective dependent claims, it is asserted that neither anticipation nor a prima facie case for obviousness has been shown. No remaining grounds for rejection or objection being given, the claims in their present form are asserted to be patentable over the prior art of record and in condition for allowance. Therefore, allowance and issuance of this case is earnestly solicited.

The Examiner is invited to contact the undersigned, if such communication would advance the prosecution of the present application. Lastly, please charge any additional fees (including extension of time fees) or credit overpayment to Deposit Account No. 502117 – Motorola, Inc.

Respectfully submitted,
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By: _____



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